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15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17

18 ANTHONY HOLGUIN,  
19  
Petitioner,

20 v.

21 MICHAEL HARRISON, WARDEN,  
22 CALIFORNIA STATE PRISON, LOS  
ANGELES COUNTY, LANCASTER,  
23 CALIFORNIA,

24 Respondent.

Case No. C 05-01118-CRB

**STIPULATION AND ~~[PROPOSED]~~**  
**ORDER CONTINUING HEARING DATE**  
**TO AUGUST 4<sup>5</sup>2005**

Current Hearing Date: July 14, 2005  
Time: 10:00 a.m.  
Location: Courtroom 8, 19<sup>th</sup> Floor  
Judge: Hon. Charles R. Breyer

1           Petitioner Anthony Holguin and Respondent Michael Harrison stipulate and jointly  
2 request that the Court continue the hearing date currently set for July 14, 2005. The  
3 parties make this stipulated motion pursuant to Civil L.R. 6-2 and 7-12 and a declaration  
4 supporting this motion is submitted herewith. The parties stipulate as follows:

5  
6           WHEREAS Petitioner Anthony Holguin's Petition for Habeas Corpus is currently  
7 scheduled for a hearing on Thursday, July 14, 2005;

8  
9           WHEREAS Michael F. Tubach, counsel for petitioner, will be out of the country in  
10 India from July 7, 2005 through July 29, 2005;

11  
12           WHEREAS James A. Bowman, counsel for petitioner, is currently at trial on a  
13 matter in San Diego which is scheduled to last through July 29, 2005;

14  
15           WHEREAS these scheduling conflicts will prevent counsel for Petitioners from  
16 attending the hearing presently scheduled;

17  
18           IT IS HEREBY STIPULATED AND AGREED by and between Petitioner  
19 Anthony Holguin and Respondent Michael Harrison that the hearing in this matter be  
20 continued from Thursday, July 14, 2004 until August 4, 2005 at 10:00 a.m. or such other  
21 time as is convenient to the Court.

1 Dated: July 5, 2005

MICHAEL F. TUBACH  
JAMES A. BOWMAN  
DAVID J. SEPANIK  
O'MELVENY & MYERS LLP

2  
3  
4  
5 By: /s/ David J. Sepanik  
David J. Sepanik  
Attorneys for Petitioner  
6 ANTHONY HOLGUIN

7 Dated: July 5, 2005

8 BILL LOCKYER  
ROBERT R. ANDERSON  
9 GERALD A. ENGLER  
JULIET B. HALEY  
10 BRUCE ORTEGA  
OFFICE OF THE ATTORNEY  
11 GENERAL OF THE STATE OF  
CALIFORNIA

12  
13 By: /s/ Bruce Ortega  
Bruce Ortega  
14 Attorneys for Respondent  
15 MICHAEL HARRISON

16  
17 Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures,  
18 I attest under penalty of perjury that concurrence in the filing of the document has been  
19 obtained from Bruce Ortega.

20 /s/ David J. Sepanik  
21 David J. Sepanik  
22 O'MELVENY & MYERS LLP  
23 *Attorneys for Petitioner*  
24 ANTHONY HOLGUIN  
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**PROPOSED ORDER**

The hearing on Petitioner Anthony Holguin's Petition for Habeas Corpus currently scheduled to take place on Thursday, July 14, 2005 at 10:00 a.m. will now take place on Thursday, August <sup>5</sup>~~4~~, 2005 at 10:00 a.m..

IT IS SO ORDERED:

Dated: July 8, 2005

